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Note verbale dated 11 August 2003 from the Permanent Mission of Mauritius to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Mauritius to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) and with reference to Council resolution 1455 (2003) of 17 January 2003, has the honour to refer to your letter dated 17 June 2003 regarding the report of Mauritius on the implementation of that resolution.

The Permanent Mission of the Republic of Mauritius has the honour to forward a copy of the remaining portion of the report,* comprising questions 14 to 26.

The Permanent Mission of the Republic of Mauritius kindly requests the Committee to ignore the reply made to question 14 in the first report submitted by Mauritius.

* The annexes to the report are on file with the Secretariat and are available for consultation.

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Annex

Report of the Republic of Mauritius on the implementation of resolution 1455 (2003)

Additional queries from the Security Council Committee monitoring sanctions against al-Qa`idah and Taliban operatives as per resolution 1455 (2003)

III. Financial And Economic Asset Freeze

14. ***Pursuant to resolutions 1455 (2003), 1390 (2001), 1333 (2000) and 1267 (1999), States are to ensure that no funds, financial assets or economic resources are made available, directly or indirectly, to listed individuals or entities or for their benefit, by nationals or by any persons within their territory. Please indicate the domestic legal basis, including a brief description of laws, regulations and/or procedures in place in your country to control the movements of such funds or assets to designated individuals and entities.***

The following legislation and regulations have been enacted to ensure that no funds, financial assets or economic resources are made available, directly or indirectly, to listed individuals or entities or for their benefit, by nationals or by any persons within their territory pursuant to resolutions 1455 (2003), 1390 (2001), 1333 (2000) and 1267 (1999):

- **The Prevention of Terrorism Act 2002**[1]

  The Prevention of Terrorism Act (PoTA) was enacted on 19 February 2002 and came into force on 16 March 2002. The Act contains provisions for the freezing of funds relating to terrorism and also for the prevention, suppression and combating of terrorism: the suppression of financing of terrorism; reinforcing intelligence gathering; investigatory and enforcement measures; co-operation with foreign jurisdictions in the matter of terrorism generally; and implementing the international commitments of Mauritius in respect of terrorism.

  Part II section10(6) of the Prevention of Terrorism Act 2002 enables the Minister , with respect to any suspected international terrorist group, to make regulations to provide for the freezing of his or its funds, financial assets or other economic resources , including funds derived from property owned or controlled directly or indirectly by him or it by persons acting on his behalf or at his or its direction.

  Part III of the Prevention of Terrorism Act 2002 deals comprehensively with the seizure and detention of terrorist cash and property.

[1] The Prevention of Terrorism Act 2002 can be consulted at the following website : http://www.gov.mu/acts.htm

- **The Financial Intelligence and Anti-Money Laundering Act 2002**[2]

The Financial Intelligence and Anti-Money Laundering Act (FIAMLA) was enacted on 27 February 2002 and came into force on 10 June 2002. Section 2 of this Act defines a suspicious transaction as a transaction which gives rise to reasonable suspicion that it may involve the laundering of money or proceeds of any crime including any offence concerning the financing of any activities or transactions related to terrorism, as specified in Part III of the Prevention of Terrorism Act.

The Financial Intelligence Unit, set up under this Act, is the central agency for receiving, requesting, analysing and disseminating disclosure of financial information concerning *inter-alia* the financing of any activity or transaction related to terrorism.

- **Prevention of Terrorism (Special Measures) Regulations 2003**[3]

The Prevention of Terrorism (Special Measures) Regulations 2003 were made on 25 January 2003. The Regulations provide for the freezing of assets and funds of suspected international terrorists and terrorist groups pursuant to Part II section 10(6) of the PoTA 2002. Regulation 3 makes provision for the Central Bank, or the Financial Services Commission, to give directives to financial institutions under its regulatory authority to freeze any account, property or funds held by those institutions and cash dealers on behalf of any listed terrorist. Regulations 7 and 8 clearly list the offences purporting to funds, financial assets or economic resources that are made available, directly or indirectly, to listed individuals or entities or for their benefit, by nationals or by any persons within the territory of Mauritius.

- **Financial Intelligence and Anti-Money Laundering Regulations 2003**[4]

The Financial Intelligence and Anti- Money Laundering Regulations 2003 were made on 21 June 2003. The Regulations provide for the verification of the true identity of all customers and other persons with whom banks, financial institutions and cash dealers conduct transactions.

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[2] The Financial Intelligence and Anti-Money Laundering Act 2002 can be consulted at the following website : http://ncb.intnet.mu/medrc/index.htm

[3] Please see annex 1

[4] Please see annex 2

On 11 November 2001 the Government of Mauritius signed the International Convention for the Suppression of the Financing of Terrorism adopted by the General Assembly of the United Nations in 1999. Mauritius is upgrading its domestic legislation to ratify the International Convention for the Suppression of the Financing of Terrorism and to this effect has prepared the Convention for the Suppression of the Financing of Terrorism Bill. The Bill has already been introduced

Mauritius has acceded on 24 January 2003 to the UN Convention for the Suppression of Terrorist Bombings and has ratified on 18 April 2003 the UN Convention Against Transnational Organized Crime.

- ***The methodology, if any, used to inform banks and other financial institutions of the restrictions placed upon individuals or entities listed by the Committee, or who have otherwise been identified as members or associates of Al-Qaida or the Taliban. This section should include an indication of the types of institution informed and the methods used.***

As soon as the Consolidated List issued by the United Nations Security Council Committee monitoring sanctions against Al Qaida and Taliban Operatives established pursuant to UNSC resolutions 1267(1999), 1333(2000) and 1390(2002) is received, the Bank of Mauritius and the Financial Services Commission inform the following institutions/organisations of the restrictions placed upon individuals or entities listed by the Committee, or who have otherwise been identified as members or associates of Al-Qaida or the Taliban:

- Financial institutions as defined in the Financial Intelligence and Anti-Money Laundering Act 2002;
- Category 1 and Category 2 banks;
- Life insurance Companies, Brokers and Agents;
- Securities Dealers, including Portfolio Managers and Investments Counselors;
- Persons or Entities engaged in the business of foreign exchange dealing;
- Accountants, Accounting Firms and Chartered Secretaries (when carrying out certain activities on behalf of their clients);
- Casinos (including those authorized to do business in Mauritius, with a slot machine or roulette or card games)
- Barrister, Attorney-at-Law, Notary and Legal Firms (when carrying out certain activities on behalf of their clients)
- Asset Management companies;
- Companies providing collective investment scheme, consultancy services, custodial services, factoring business, mortgage finance, retirement benefit schemes;
- Leasing business
- Others: These include Real Estate Brokers or Sales Representatives (when carrying out certain activities on behalf of their clients), or Mauritius Post Office for money orders.

The Bank of Mauritius provides institutions under its jurisdiction, namely banks, non-bank deposit-taking institutions, money changers and foreign exchange dealers with the Consolidated List issued by the United Nations Security Council Committee monitoring sanctions against Al Qaida and Taliban Operatives established pursuant to UNSC resolutions 1267(1999), 1333(2000) and 1390(2002) and makes it mandatory for;

- Bank and non-bank deposit taking institutions, to report to the Bank of Mauritius any account held by the persons/organizations mentioned in the list maintained with them and to seek the approval of the Bank of Mauritius before executing any request for transactions in respect of these persons/organizations;
- Moneychangers and foreign exchange dealers, to seek the approval of the Bank before executing any request for transactions in respect of those persons/organizations.

A deadline of one week, as from the date the Bank forwards the UN Consolidated List issued by the United Nations Security Council Committee monitoring sanctions against Al Qaida and Taliban Operatives established pursuant to UNSC Resolutions 1267(1999), 1333(2000) and 1390(2002), is imposed on banks and non-bank deposit-taking institutions to confirm or otherwise the existence of any account or transaction with persons/organisations mentioned in the list.

This procedure is repeated by the Bank of Mauritius as and when the list is amended or updated.

Follow-up work on compliance is carried out by on-site teams of Bank of Mauritius inspectors visiting the concerned financial institutions when verifying lists of customers.

The Financial Services Commission also forwards to its licensees the UN Consolidated List issued by the United Nations Security Council Committee monitoring sanctions against Al Qaida and Taliban Operatives established pursuant to UNSC resolutions 1267(1999), 1333(2000) and 1390(2002) as and when it is updated. The list has been posted on the website of the Financial Services Commission and is updated as and when the United Nations Security Council Committee monitoring sanctions against Al Qaida and Taliban Operatives pursuant to UNSC resolutions 1267(1999), 1333(2000) and 1390(2002) does so.

All licensees of the Commission have been directed to verify their database, each time the Consolidated List issued by the United Nations Security Council Committee monitoring sanctions against Al Qaida and Taliban Operatives established pursuant to UNSC resolutions 1267(1999), 1333(2000) and 1390(2002) is updated and to report to the Commission and the Financial Intelligence Unit any link found with the names of the individuals/entities listed.

The financial institutions falling under the responsibility of the Financial Services Commission which are bound to check their database against the Consolidated List include stock-broking companies and representatives dealing with insurance companies and service providers in the global business sector. The latter include management companies *(i.e. companies whose main activity is to set up, manage and provide nominee and other services to a corporation which carries out any qualified global business as defined by existing regulations)*, trustees and registered agents *(i.e. agents which provide such services a company (with a category 2 global licence) may require in Mauritius, including the filing of any return or documents required under the Financial Services Development Act 2001[5] and the Companies Act 2001[6] and the receiving and forwarding of any communication from and to the Commission or the Registrar)*.

- ***Required bank-reporting procedures, if any, including the use of Suspicious Transaction Reports (STR), and how such reports are reviewed and evaluated. Requirements, if any, placed on financial institutions other than banks to provide STR, and how reports are reviewed and evaluated.***

Section 14 of the Financial Intelligence and Anti Money-Laundering Act 2002 (FIAMLA) stipulates that banks, financial institutions, cash dealers and members of the relevant professions or occupations have the obligation to make a Suspicion Transaction Report (STR) to the Financial Intelligence Unit on any transaction which they have a reason to believe is a suspicious transaction.

The Financial Intelligence Unit (FIU) has issued a Guidance Note[7] which is in force since 30 January 2003 on STR (Suspicious Transaction Report – Guidance Note 1(2003). This Guidance Note is intended for reporting institutions/persons. It establishes how to identify a suspicious transaction, particularly providing for indicators relating to terrorist activity financing. The Guidance Note lists down the reporting institutions /persons who are required to report suspicious transactions to the FIU, namely:

- Financial institutions as defined the Financial Intelligence and Anti-Money Laundering Act 2002;
- Category 1 and Category 2 banks;
- Life insurance Companies, Brokers and Agents;
- Securities Dealers, including Portfolio Managers and Investments Counsellors;
- Persons or Entities engaged in the business of foreign exchange dealing;
- Accountants, Accounting Firms and Chartered Secretaries (when carrying out certain activities on behalf of their clients);
- Casinos (including those authorized to do business in Mauritius, with a slot machine or roulette or card games);

[5] The Financial Services Development Act 2001 can be consulted at the following website :http://www.gov.mu/acts.htm

[6] The Companies Act 2001 can be consulted at the following website :http://www.gov.mu/acts.htm

[7] Please see Annex 3

- Barrister, Attorney-at-Law, Notary and Legal Firms (when carrying out certain activities on behalf of their clients);
- Others: These include Real Estate Brokers or Sales Representatives (when carrying out certain activities on behalf of their clients), or Mauritius Post Office for money orders.

Under section 15 of the FIAMLA, every report lodged with the Financial Intelligence Unit has to include the following:

- The identification of the party or parties to the transaction;
- The amount of the transaction, the description of the nature of the transaction and all the circumstances giving rise to the suspicion;
- The business relationship of the suspect to the bank, financial institution, cash dealer or member of relevant profession or occupation, as the case may be;
- Where the suspect is an insider, any information as to whether the suspect is still affiliated to the bank, financial institution, cash dealer or member of the relevant profession or occupation as the case may be
- Any voluntary statement as to the origin, source or destination of the proceeds;
- The impact of the suspicious activity on the financial soundness of the reporting institution or persons; and
- The names of all officers, employees or agents dealing with the transaction.

The Financial Intelligence Unit has therefore devised a Form[8] for the afore-mentioned persons/institutions to report a person/entity if they have reason to suspect that a transaction is related to money laundering, proceeds of any crime or financing of activities related to terrorism.

Suspicious Transactions Reports (STRs) are dealt with diligently by the FIU, which investigates and updates the files and prepares intelligence reports. A Seminar was organized by the Financial Intelligence Unit on 28 May 2003 where relevant stakeholders were explained through a case study how STRs are reviewed and evaluated.

Please note that the Financial Intelligence Unit has been officially admitted as a Member of the EGMONT Group of FIUs on 23rd July 2003 and Mauritius is the Regional Representative of African FIUs on the EGMONT Committee.

[8] Please see Annex 4

- ***Restrictions or regulations, if any, placed on the movement of precious commodities such as gold, diamonds and other related items.***

Section 35 of the Consumer Protection (Price and Supplies Control) Act[9] provides that the Minister to whom responsibility for consumer protection is assigned may make such regulations as he deems fit for the purposes of the Act and for the purposes of regulating trade, supply and prices. Import and Export of rough diamonds are subjected to the Kimberley Process Certification which is issued by the Ministry of Commerce and Co-operatives.

Accordingly, the Minister has, by virtue of powers vested in him, under the Consumer Protection (Price and Supplies Control) Act made regulations requiring licence for the import and export of gold and diamonds. Under the Consumer Protection (Control of Imports) (Amendment No 4) Regulations 2003[10], rough diamonds imported directly or indirectly from Sierra Leone are now prohibited goods in Mauritius and their import into Mauritius is prohibited. Similarly, under the Consumer Protection (Control of Imports) Regulations 2002[11], diamonds including rough ones originating from Liberia are prohibited goods.

Furthermore, under the Customs Act[12], customs officers are empowered to arrest persons involved in the commission of smuggling, importing and exporting of prohibited goods, which are criminal offences in Mauritius. Those powers are also conferred upon police officers under the Police Act[13].

- ***Restrictions or regulations, if any, applicable to alternate remittance systems such as- or similar to- "hawala", as well as on charities, cultural and other non-profit organizations engaged in the collection and disbursement of funds for social or charitable purposes.***

Section 14 of the Prevention of Terrorism Act 2002 provides that it is an offence for any person to, *inter-alia,* receive or provide or solicit money or property for the purposes of terrorism, or for a proscribed organization.

Sections 7(1)(b) and 15(1)(b) of the Registration of Associations Act[14] provide for the non-registration or cancellation of registration of an association which has engaged, or is about to engage in activities likely to cause a serious threat to public safety or public order.

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[9] The Consumer Protection (Price and Supplies Control) Act 1998 can be consulted at the following website : http://www.gov.mu.acts.htm
[10] Please see Annex 5(i)
[11] Please see Annex 5(ii)
[12] Please see Annex 6
[13] Please see Annex 7
[14] Please see Annex 8

Section 3(2) of the Banking Act 1988[15] provides that no person shall transact any category 1 and category 2 banking in Mauritius without a licence from the Central Bank. Section 12(1) provides that no category 1 banking and category 2 banking shall be transacted except by a bank. Section 13 provides for the examination of books, records and accounts by the Central Bank in cases of suspected unlicensed banking. Section 13A(1) prohibits the business of deposit-taking without the written authorization of the Central Bank.

Section 3(1) of the Foreign Exchange Dealers Act 1995[16] provides for specified types of legal persons to carry out the business of a foreign exchange dealer or a money-changer if they obtain the authorization of the Minister to whom responsibility for the subject of finance is assigned.

Furthermore, with the exception of certain exempt transactions, any person who makes or accepts any payment in cash in excess of Rs 350,000 (approximately US$ 10,000) be it through the banking channel or otherwise, shall, under the Financial Intelligence and Anti-Money Laundering Act 2002, commit an offence in Mauritius.

Regulations made by the Minister under the Financial Intelligence and Anti-Money Laundering Act proscribe the opening of anonymous or fictitious accounts in Mauritius. Furthermore, proper identification of customers and record keeping are required. Therefore, alternative remittance systems are prohibited by law in Mauritius.

Associations (i.e. organizations made up of not less than 7 persons having a formal structure with a common purpose other than that of pecuniary gain to its members) are required to be registered with the Registrar of Associations under the Registration of Associations Act and are required to maintain the following:

- An up to date register of its members
- For a period of not less than 3 years after the last date to which they relate:
  - (a) all books, statements of account and auditors' reports
  - (b) all registers of members and all records of money paid by members to the association
- For a period of not less than 3 years after their date of origin, all minutes of meetings, vouchers, receipts, correspondence and other documents relating to the affairs of the association.

Any interested person may, on written application to the Registrar of Associations, inspect the register containing the particulars of every registered association.

[15] The Banking Act 1988 can be consulted at the following website: http://bom.intnet.mu

[16] The Foreign Exchange Dealers Act 1995 can be consulted at the following website :http://bom.intnet.mu

The due diligence procedures that financial institutions are required to apply also concern charities and other non-profit making organizations. Guidance Notes issued to institutions under the jurisdiction of the Bank of Mauritius contain specific measures that are required to be taken in respect of club, charities and societés. The provisions in relation to club, charities and societés in the Guidance Notes are as follows

"Clubs and Charities"

paragraph 6.59 It is increasingly being recognized that terrorists groups are having recourse to clubs and charities for the financing of terrorism;

paragraph 6.60 Accordingly, in the case of accounts to be opened for clubs or charities, banks and cash dealers should, at the very beginning, satisfy themselves as to the legitimate purpose of the organization by requesting a certified copy of the constitution of the club or charity and also by paying a visit to its premises where practicable to satisfy themselves as to the true nature of their activities. They may also satisfy themselves by independent confirmation of the purpose of the institutions;

paragraph 6.61 The identity of the persons in control of the club or charity should be ascertained in accordance with the procedures required for personal customers;

paragraph 6.62 Control of clubs and charities are most likely to change from time to time and the identity of those new controllers of the clubs or charities should be verified as and when they change;

"Societés"

paragraph 6.63 In the case of sociétés, the original or certified copy of the Acte de Société should be requested and retained;

paragraph 6.64 For Mauritian sociétés, the bank and cash dealer should ensure, by verifying with the Registrar of Companies, that the société continues to exist;

paragraph 6.65 As regards foreign sociétés, the bank or cash dealer should obtain a certificate of good standing from them;

paragraph 6.66 Banks and cash dealers should also, in accordance with the procedures set out for personal customers, verify the identity of those in control of the société e.g its administrators and gérant and retain the same relevant documents as are required for personal customers accordingly

IV. Travel Ban

Under the sanctions regime, all states shall take measures to prevent the entry into or transit through their territories of listed individuals (paragraph 1 of resolution 1455 (2003), paragraph 2b of resolution 1390 (2002)).

15. ***Please provide an outline of the legislative and/or administrative measures, if any, taken to implement the travel ban.***

The Immigration Act[17] regulates the entry and stay of non-citizens in Mauritius. The Act provides for the establishment of the list of prohibited immigrants who shall not be admitted to Mauritius. "Prohibited Immigrants" include persons who are involved in criminal activities, engaged in drug trafficking, or reasonably suspected to be engaged in any subversive activity of any kind directed against Mauritius or detrimental to the security of Mauritius or any friendly State. It also provides for the issue of residence permits and refusal of admission to Mauritius and prevention of unauthorised disembarkation, and for powers to inspect vessels, to examine passengers and members of the crew and for detention for the purpose of being removed from Mauritius. No provision for asylum is made in the Act. In fact, Section 8 of the Immigration Act has been amended by the Prevention of Terrorism Act to include non-citizens who are declared suspected international terrorists as prohibited Immigrants.

Under Section 10(6)(b) of the Prevention of Terrorism Act 2002 , the Minister to whom responsibility for the subject of national security is assigned may, with respect to any suspected international terrorist or an international terrorist group, make regulations to provide for the prevention of his or its entry into , or transit in Mauritius.

16. ***Have you included the names of the listed individuals in your national "stop list" or border checkpoint list? Please briefly outline steps taken and any problems encountered.***

As soon as the Consolidated List issued by the United Nations Security Council Committee monitoring sanctions against Al Qaida and Taliban Operatives established pursuant to UNSC resolutions 1267(1999), 1333(2000) and 1390(2002) is received, the content of the list is communicated to Ministry of Home Affairs, Security Division, the Police including the Passport and Immigration Office for them to include the names of the listed individuals in the stop list.

The problem encountered by the authorities is that in many cases the details provided are insufficient and scanty and could create identification difficulties.

[17] The Immigration Act can be consulted at the following website :http://www.gov.mu/acts.htm

17. ***How often do you transmit the updated list to your border control authorities? Do you possess the capability of searching list data using electronic means at all your entry points?***

As soon as the Consolidated List issued by the United Nations Security Council Committee monitoring sanctions against Al Qaida and Taliban Operatives pursuant to UNSC resolutions 1267(1999), 1333(2000) and 1390(2002) is received, the List is transmitted to immigration authorities accordingly. Mauritius possesses the capability of searching list data using electronic means at all its entry points.

18. ***Have you stopped any of the listed individuals at any of your border points or while transiting your territory? If so, please provide additional information, as appropriate.***

No. None of the listed individuals has been stopped in Mauritius. This is because none of these individuals in the Consolidated List issued by the United Nations Security Council Committee monitoring sanctions against Al Qaida and Taliban Operatives established pursuant to UNSC resolutions 1267(1999), 1333(2000) and 1390(2002) has, so far, attempted to enter Mauritius.

19. ***Please provide an outline of the measures, if any, taken to incorporate the list in the reference database of your Consular offices. Have your visa issuing authorities identified any visa applicant whose name appears on the list?***

As stated in reply to section II(b), the List is communicated to Ministry of Home Affairs, Security Division, the Police including the Passport and Immigration Office for inclusion of the names of the listed individuals in the Stop List. The Stop List is communicated, as and when updated/amended, to the Mauritius Embassies, High Commissions and Consular posts by the Home Affairs Division of the Prime Minister's Office through the Ministry of Foreign Affairs and Regional Cooperation.

No application for visa has been received, by the visa issuing authorities, from persons whose names appear on the list.

V. Arms Embargo

Under the sanctions regime, all States are requested to prevent the direct or indirect supply, sale and transfer, to Usama bin Laden, members of Al-Qaida organization and the Taliban and other individuals and entities associated with them, from their territories or by their nationals outside their territories of arms and related materiel of all types, including the provision of spare parts and technical advice, assistance, or training related to military activities (paragraph 2(c) of resolution 1390(2002) and paragraph 1 of resolution 1455 (2003).

20. ***What measures, if any, do you now have in place to prevent the acquisition of conventional arms and weapons of mass destruction (WMD) by Usama bin Laden, members of Al-Qaida organizaton and the Taliban and other individuals, groups, undertakings and entities associated with them? What kind of export control do you have in place to prevent the above targets from obtaining the items and technology necessary for weapons development and production?***

In addition to the Explosives Act[18] and the Firearms Act[19], Mauritius has implemented new legislation, namely the Chemical Weapons Convention Act[20] since 7 May 2003 to enhance our control on the transfer of chemical weapons, their precursors and chemicals which could be used for the making of chemical weapons. These Acts have strict provisions dealing with the trafficking of arms and chemical weapons.

Mauritius is also party to the SADC[21] Protocol on Politics, Defence and Security Cooperation and the SADC Protocol on the Control of Firearms, Ammunition and other related Materials. The main objective of these Protocols is to provide mechanisms which will assist member States to promote peace and security in the region and guide SADC Member States in their collaboration with regard to matters pertaining to peace and security and to prevent, combat and eradicate illicit manufacturing of arms, ammunition and other related materials and promote and facilitate cooperation and exchange of information and experience in the region and cooperate at regional and international levels in matters of small arms and other related materials respectively.

21. ***What measures, if any, have you adopted to criminalize the violation of the arms embargo directed at Usama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them?***

Regulation 9 of the Prevention of Terrorism (Special Measures) Regulations 2002 provides that no person shall, directly or indirectly, export, sell, supply or ship any arms, weapons, ammunitions, military vehicles and equipment, paramilitary equipment, spare parts and related material to any listed terrorist.

Regulation 10 of the Prevention of Terrorism (Special Measures) Regulations 2002 provides that no owner or master of a Mauritius ship and no operator of an aircraft registered in Mauritius shall, directly or indirectly, carry or cause or permit to be carried any arms, weapons, ammunitions, military vehicles and equipment, paramilitary equipment, spare parts and related materials for any listed terrorist.

Regulation 11 of the Prevention of Terrorism (Special Measures) Regulations 2002 provides that no person shall directly or indirectly provide any listed terrorist with technical advice, assistance or training related to military activities.

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[18] Please see Annex 9
[19] Please see Annex 10
[20] Please see Annex 11
[21] Southern African Development Community

Contravention of the Prevention of Terrorism (Special Measures) Regulations 2002 is an offence (Regulation 12 of the Prevention of Terrorism (Special Measures) Regulations 2002).

22. ***Please describe how your arms/arms broker licensing system, if any, can prevent Usama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertaking and entities associated with them from obtaining items under the established arms embargo.***

Under the Explosives Act and the Firearms Act, a permit is required before importing items under the established arms embargo. Such a permit is be issued by the Commissioner of Police further to the latter's satisfaction that the requirements under existing laws are respected.

23. ***Do you have any safeguards that the weapons and ammunition produced within your country will not be diverted/used by Usama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated?***

No weapon or ammunition is produced in Mauritius. Under the Prevention of Terrorism Act, there are strict restrictions and severe penalties for persons furnishing Usama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with such goods

VI. Assistance And Conclusion

24. ***Would your state be willing or able to provide assistance to other States to help them implement the measures contained in the above-mentioned resolutions? If so, please provide additional details or proposals.***

Mauritius is willing to provide assistance to other States to help them implement the measures contained in the resolutions.

Contacts with the Commonwealth Secretariat have indicated that the Prevention of Terrorism Act 2002 could serve as a model legislation that could be adopted by other States in the combating of terrorism. The Republic of Mauritius would be pleased to share its expertise acquired in the drafting of appropriate legislation and regulations through request by other States and participation in international and regional workshops. Copies of Current legislation and current regulations could be made available to interested States.

25. ***Please identify areas, if any, of any incomplete implementation of the Taliban/Al-Qaida sanctions regime, and where you believe specific assistance or capacity-building would improve your ability to implement the above sanctions regime.***

The Passport and Immigration Office has stressed the need for the training of its personnel in immigration control and has the expressed the wish to obtain sophisticated equipment for the verification of travel documents.

26. ***Please include any additional information you believe pertinent.***

Photo identification of listed Al Qaida and Taliban Operatives to be forwarded to the Mauritian authorities, if available, with a view to enhancing identification and detection of such persons.